



Substitute House Bill No. 5870

Public Act No. 08-153

AN ACT CONCERNING MINOR CHANGES TO THE EDUCATION STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 10-4b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) If, after conducting an inquiry in accordance with subsection (a) of this section, the state board finds that a local or regional board of education has failed or is unable to [provide educational opportunities to meet the requirements of this section, sections 10-4a, 10-14q, 10-15c, 10-16, 10-16b and 10-42, subsection (a) of section 10-43, sections 10-47b, 10-53, 10-54, 10-66i, 10-71 and 10-76d, subsection (h) of section 10-76f and sections 10-76g, 10-76m, 10-76o, 10-97, 10-203, 10-220, 10-227, 10-261, 10-262j, 10-263, 10-266j, 10-266m, 10-273a, 10-277 and 10-280a] implement the educational interests of the state in accordance with section 10-4a, the state board shall (1) require the local or regional board of education to engage in a remedial process whereby such local or regional board of education shall develop and implement a plan of action through which compliance may be attained, or (2) order the local or regional board of education to take reasonable steps where such local or regional board has failed to comply with subdivision (3)

Substitute House Bill No. 5870

of section 10-4a. Where a local or regional board of education is required to implement a remedial process pursuant to subdivision (1) of this subsection, upon request of such local or regional board, the state board shall make available to such local or regional board materials and advice to assist in such remedial process. If the state board finds that a local governmental body or its agent is responsible for such failure or inability, the state board may order such governmental body or agent to take reasonable steps to comply with the requirements of section 10-4a. The state board may not order an increase in the regular program expenditures, as defined in section 10-262f of the 2008 supplement to the general statutes, of such local or regional board of education if such expenditures are in an amount at least equal to the minimum expenditure requirement in accordance with section 10-262j of the 2008 supplement to the general statutes, provided that an increase in expenditures may be ordered in accordance with section 10-76d of the 2008 supplement to the general statutes. If the state board finds that the state is responsible for such failure, the state board shall so notify the Governor and the General Assembly.

Sec. 2. Subdivision (3) of subsection (c) of section 10-264l of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) (A) Each interdistrict magnet school operated by a regional educational service center that enrolls less than fifty-five per cent of the school's students from a single town shall receive a per pupil grant in the amount of (i) six thousand two hundred fifty dollars for the fiscal year ending June 30, 2006, (ii) six thousand five hundred dollars for the fiscal year ending June 30, 2007, (iii) seven thousand sixty dollars for the fiscal year ending June 30, 2008, (iv) seven thousand six hundred twenty dollars for the fiscal year ending June 30, 2009, (v) eight thousand one hundred eighty dollars for the fiscal year ending June 30,

Substitute House Bill No. 5870

2010, and (vi) eight thousand seven hundred forty-one dollars for the fiscal year ending June 30, 2011.

(B) Each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town shall receive a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent of the school's students in the amount of (i) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (ii) six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2009, (iii) seven thousand four hundred forty dollars for the fiscal year ending June 30, 2010, and (iv) eight thousand one hundred fifty-eight dollars for the fiscal year ending June 30, 2011. The per pupil grant for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent of the school's students shall be three thousand dollars.

[(C) Each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town shall receive a per pupil grant in an amount that is at least three thousand dollars for the fiscal year ending June 30, 2006, and for each fiscal year thereafter.]

Sec. 3. Subsection (a) of section 10-18 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) (1) All high, preparatory, secondary and elementary schools, public or private, whose property is exempt from taxation, shall provide a program of United States history, including instruction in United States government at the local, state and national levels, and in the duties, responsibilities, and rights of United States citizenship. No student shall be graduated from any such school who has not been found to be familiar with said subjects.

Substitute House Bill No. 5870

(2) For purposes of subdivision (1) of this subsection, elementary schools shall include in their third, fourth or fifth grade curriculum a program on democracy in which students engage in a participatory manner in learning about all branches of government.

Sec. 4. Subsection (c) of section 10-223e of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(c) (1) Any school or school district identified as in need of improvement pursuant to subsection (a) of this section and requiring corrective action pursuant to the requirements of the No Child Left Behind Act, P.L. 107-110, shall be designated and listed as a low achieving school or school district and shall be subject to intensified supervision and direction by the State Board of Education.

(2) Notwithstanding any provision of this title or any regulation adopted pursuant to said statutes, except as provided in subdivision (3) of this subsection, in carrying out the provisions of subdivision (1) of this subsection, the State Board of Education shall take any of the following actions to improve student performance and remove the school or district from the list of schools or districts designated and listed as a low achieving school or district pursuant to said subdivision (1), and to address other needs of the school or district: (A) Require an operations audit to identify possible programmatic savings and an instructional audit to identify any deficits in curriculum and instruction or in the learning environment of the school or district; (B) require the local or regional board of education for such school or district to use state and federal funds for critical needs, as directed by the State Board of Education; (C) provide incentives to attract highly qualified teachers and principals; (D) direct the transfer and assignment of teachers and principals; (E) require additional training and technical assistance for parents and guardians of children attending the school or a school in the district and for teachers,

Substitute House Bill No. 5870

principals, and central office staff members hired by the district; (F) require the local or regional board of education for the school or district to implement model curriculum, including, but not limited to, recommended textbooks, materials and supplies approved by the Department of Education; (G) identify schools for reconstitution, as may be phased-in by the commissioner, as state or local charter schools, schools established pursuant to section 10-74g of the 2008 supplement to the general statutes, or schools based on other models for school improvement, or for management by an entity other than the local or regional board of education for the district in which the school is located; (H) direct the local or regional board of education for the school or district to develop and implement a plan addressing deficits in achievement and in the learning environment as recommended in the instructional audit; (I) assign a technical assistance team to the school or district to guide school or district initiatives and report progress to the Commissioner of Education; (J) establish instructional and learning environment benchmarks for the school or district to meet as it progresses toward removal from the list of low achieving schools or districts; (K) provide funding to any proximate district to a district designated as a low achieving school district so that students in a low achieving district may attend public school in a neighboring district; (L) direct the establishment of learning academies within schools that require continuous monitoring of student performance by teacher groups; (M) require local and regional boards of education to (i) undergo training to improve their operational efficiency and effectiveness as leaders of their districts' improvement plans, and (ii) submit an annual action plan to the Commissioner of Education outlining how, when and in what manner their effectiveness shall be monitored; or [(M)] (N) any combination of the [above] actions described in this subdivision or similar, closely related actions.

(3) If a directive of the State Board of Education pursuant to

Substitute House Bill No. 5870

subparagraph (C), (D), (E) or (L) of subdivision (2) of this subsection or a directive to implement a plan pursuant to subparagraph (H) of said subdivision affects working conditions, such directive shall be carried out in accordance with the provisions of sections 10-153a to 10-153n, inclusive.

[(3)] (4) The Comptroller shall, pursuant to the provisions of section 10-262i of the 2008 supplement to the general statutes, withhold any grant funds that a town is otherwise required to appropriate to a local or regional board of education due to low academic achievement in the school district pursuant to section 10-262h of the 2008 supplement to the general statutes. Said funds shall be transferred to the Department of Education and shall be expended by the department on behalf of the identified school district. Said funds shall be used to implement the provisions of subdivision (2) of this subsection and to offset such other local education costs that the Commissioner of Education deems appropriate to achieve school improvements. These funds shall be awarded by the commissioner to the local or regional board of education for such identified school district upon condition that said funds shall be spent in accordance with the directives of the commissioner.

Sec. 5. Section 10-95h of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

There is established a state-wide advisory committee, which shall meet at least semiannually, to (1) identify emerging state and national workforce needs and trade technology programs for the regional vocational-technical school system to meet such needs; (2) identify the workforce skills that will be needed for the next thirty years and ensure that the curriculum of the regional vocational-technical school system is incorporating such skills into the regional vocational-technical schools; (3) ensure that all students who graduate from the

Substitute House Bill No. 5870

regional vocational-technical school system have communication, leadership, teamwork and problem-solving skills, in addition to expertise in a trade technology; (4) assess the adequacy of the resources available to the regional vocational-technical school system as the system develops and refines programs to meet existing and emerging workforce needs; and (5) advise and make recommendations to the State Board of Education to carry out the provisions of subdivisions (1) to (4), inclusive, of this section. The committee shall consist of nineteen members as follows: (A) Two appointed by the speaker of the House of Representatives, who shall be representatives of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with [more than one thousand] five hundred or more full-time employees; (B) two appointed by the president pro tempore of the Senate, [who] one of whom shall be [representatives] a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with [more than one thousand] five hundred or more full-time employees and one of whom shall be a teacher in the regional vocational-technical school system; (C) one appointed by the majority leader of the House of Representatives who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with [five] more than fifty, but fewer than five hundred [or more] full-time employees; [, but not more than one thousand full-time employees;] (D) one appointed by the majority leader of the Senate who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with [five] more than fifty, but fewer than five hundred [or more] full-time employees; [, but not more than one thousand full-time employees;] (E) one appointed by the minority

Substitute House Bill No. 5870

leader of the House of Representatives who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with [five] more than fifty, but fewer than five hundred [or more] full-time employees; [but not more than one thousand full-time employees;] (F) one appointed by the minority leader of the Senate who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with fifty or fewer [than five hundred] full-time employees; (G) two persons appointed by the Governor who shall be representatives of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with fifty or fewer [than five hundred] full-time employees; (H) the Commissioner of Education, or the commissioner's designee; (I) the Labor Commissioner, or the commissioner's designee; (J) the Commissioner of Economic and Community Development, or the commissioner's designee; (K) a representative from the Office of Workforce Competitiveness; (L) the chairperson of the State Board of Education, or the chairperson's designee; and (M) the cochairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to education. The committee membership shall reflect the state's geographic, racial and ethnic diversity.

Sec. 6. Section 10-220 of the general statutes is amended by adding subsection (e) as follows (*Effective July 1, 2008*):

(NEW) (e) Each local and regional board of education shall establish a school district curriculum committee. The committee shall recommend, develop, review and approve all curriculum for the local or regional school district.

Substitute House Bill No. 5870

Sec. 7. Subdivision (1) of subsection (c) of section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) (1) The State Board of Education, upon request of a local or regional board of education, shall issue a temporary ninety-day certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision when the following conditions are met:

(A) The employing agent of a board of education makes a written request for the issuance of such certificate and attests to the existence of a special plan for supervision of temporary ninety-day certificate holders;

(B) The applicant meets the following requirements, except as otherwise provided in subparagraph (C) of this subdivision:

(i) Holds a bachelor's degree from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited with a major either in or closely related to the certification endorsement area in which the requesting board of education is placing the applicant or, in the case of secondary or special subject or field endorsement area, possesses at least the minimum total number of semester hours of credit required for the content area;

(ii) Has met the requirements pursuant to subsection (b) of section 10-145f;

(iii) Presents a written application on such forms as the Commissioner of Education shall prescribe;

Substitute House Bill No. 5870

(iv) Has successfully completed a program of classroom management and instructional methodology approved by the State Board of Education and, within available appropriations, provided under contract with an institution of higher education designated by the Department of Higher Education;

(v) Possesses an undergraduate college overall grade point average of at least "B" or, if the applicant has completed at least twenty-four hours of graduate credit, possesses a graduate grade point average of at least "B"; and

(vi) Presents supporting evidence of appropriate experience working with children; and

(C) The Commissioner of Education may waive the requirements of subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a showing of good cause.

Sec. 8. Subsection (a) of section 10-16b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) In the public schools the program of instruction offered shall include at least the following subject matter, as taught by legally qualified teachers, the arts; career education; consumer education; health and safety, including, but not limited to, human growth and development, nutrition, first aid, disease prevention, community and consumer health, physical, mental and emotional health, including youth suicide prevention, substance abuse prevention, safety, which may include the dangers of gang membership, and accident prevention; language arts, including reading, writing, grammar, speaking and spelling; mathematics; physical education; science; social studies, including, but not limited to, citizenship, economics, geography, government and history; and in addition, on at least the

Substitute House Bill No. 5870

secondary level, one or more foreign languages and vocational education. For purposes of this subsection, language arts may include American sign language or signed English, provided such subject matter is taught by a qualified instructor under the supervision of a teacher who holds a certificate issued by the State Board of Education. For purposes of this subsection, the "arts" means any form of visual or performing arts, which may include, but not be limited to, dance, music, art and theatre.

Sec. 9. (*Effective from passage*) Section 10-4n of the general statutes is repealed.

Approved June 12, 2008